



New York Civil Liberties Union  
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July 21, 2023

**VIA ECF**

Honorable John G. Koeltl  
United States District Judge  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl St. New York, NY 10007-1312

Re: *Am. Civil Liberties Union Found. v. U.S. Dep't of Homeland Sec.*,  
No. 23-cv-06286 (JGK) (S.D.N.Y.)

Dear Judge Koeltl:

I write on behalf of Plaintiff American Civil Liberties Union Foundation, and hereby respectfully request leave to file a corrected version of its complaint, originally filed yesterday, July 20, 2023. ECF No. 1.

On July 20, 2023, Plaintiff filed a Complaint via the court's CM-ECF system. ECF No. 1. However, Plaintiff inadvertently failed to file the intended exhibits to the Complaint as part of the filing before submitting the document via the CM-ECF system. Upon realizing that the complaint as filed did not include the exhibits, Plaintiff immediately refiled a corrected version. ECF No. 2.

This refiled version was rejected as a duplicate docket entry on July 21, 2023, and Plaintiff was instructed by the Clerk's office on the docket that the complaint, as filed at ECF No. 2, "is deficient for the following reason(s): Complaint was already filed and accepted. An Amended Complaint can be filed with the exhibits attached or leave from the Judge's Chambers can be acquired to file a Corrected Complaint."

Plaintiff has also contacted the ECF Quality Assurance Unit at [ECF\\_error@nysd.uscourts.gov](mailto:ECF_error@nysd.uscourts.gov), as indicated at the Court's Electronic Case Filing Rules & Instructions §13.25 ("What if I make a mistake in electronic filing?") (Feb. 1, 2019). However, that office has similarly instructed Plaintiff to make an application to the Court requesting that the Complaint filed as ECF No. 2 be accepted.

For these reasons, Plaintiff respectfully requests leave to file a corrected version of its complaint.

Respectfully submitted,

/s/ Amy Belsher

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